

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

USDC SDNY
DOCUMENT
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MARTIN NICHOLAS JOHN TROTT
and CHRISTOPHER JAMES SMITH,
on behalf of and solely in their capacity
as the Foreign Representatives and Joint
Official Liquidators of MADISON
ASSET LLC (IN LIQUIDATION),

Plaintiffs,

-against-

DEUTSCHE BANK AG,

Defendant.

Case No.: 1:20-cv-10299-MKV

MOTION TO FILE REDACTED OPPOSITION TO MOTION TO DISMISS

Martin Nicholas John Trott and Christopher James Smith (“Plaintiffs” or “JOLs”), as the Foreign Representatives and Joint Official Liquidators of Madison Asset LLC (“Madison”), a Cayman investment fund that is now in official liquidation proceedings before the Grand Court of the Cayman Islands, submit this motion for entry of an order that the Plaintiffs’ Opposition (“Opposition”) to Defendant Deutsche Bank AG’s (“Defendant”) Motion to Dismiss (“MTD”) be filed in redacted form. This motion is made pursuant to Section 6 of the SDNY Electronic Case Filing Rules and Instructions, Rule 9 of this Court’s Individual Rules of Practice in Civil Cases, SDNY Standing Order 19-mc-0583, and the Stipulated Confidentiality Agreement and Protective Order (ECF No. 34).

BACKGROUND

Pursuant to the Court’s Order dated July 1, 2021 (ECF No. 42), Plaintiffs must file their Opposition today. This case was initially filed as an adversary proceeding in the United States

Bankruptcy Court for the Southern District of New York, relating to the Chapter 15 proceeding for Madison overseen by Judge Michael E. Wiles. Plaintiffs filed their original Complaint in redacted form based on Defendant's assertion that certain information, which Defendant had provided the JOLs during bankruptcy proceedings, was protected by a confidentiality agreement between the parties. After a telephonic hearing with the parties about the permissible scope of redactions, Judge Wiles orally specified the information to be redacted and memorialized that directive in a written order dated November 19, 2020 (Bankruptcy Court ECF No. 15). That order is attached hereto as Exhibit A. Plaintiffs subsequently filed a version of their Second Amended Complaint (ECF No. 36) that was again redacted pursuant to Judge Wiles' order and the Stipulated Confidentiality Agreement and Protective Order entered by this Court (ECF No. 34).

The information that Plaintiffs seek to redact in the Opposition was also redacted with the approval of this Court in Plaintiffs' Second Amended Complaint.

REQUESTED RELIEF

Plaintiffs are prepared to file in this Court the Opposition pursuant to Rule 15 of the Federal Rules of Civil Procedure and this Court's July 1, 2021 Order (ECF No. 42). Plaintiffs move to file the Opposition in redacted form that complies with Judge Wiles' Order and instructions and the Stipulated Confidentiality Agreement and Protective Order entered by this Court.

Dated: New York, New York
August 30, 2021

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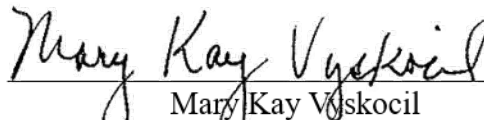
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Counsel to Plaintiffs

Granted. SO ORDERED.

Date: 3/1/2022
New York, New York


Mary Kay Vyskocil
United States District Judge